



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/255,655	02/23/99	VIGH	M 02405.0167

0242/0323

FINNEGAN HENDERSON FARABOW GARRETT &  
DUNNER  
1300 I STREET NW  
WASHINGTON DC 20005-3315

NOT ASSIGNED

1761

DATE MAILED:

03/23/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION**

*Filing Date Granted*

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$

- ☐ 1. The statutory basic filing fee is:

- ☐ missing.  
☐ insufficient.

Applicant must submit \$ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. The following additional claims fees are due:

\$ for total claims over 20.

\$ for independent claims over 3.

\$ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:

- ☐ is missing or unsigned.  
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

- ☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

R. Rawls

Customer Service Center  
Initial Patent Examination Division (703) 308-1202



1761 T4 Seedorf  
0240

PATENT  
Attorney Docket No. 2405.0167-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )

Mads Liendgaard Vigh et al. )

Serial No. 09/255,655 )

Group Art Unit: 1761

Filed: February 23, 1999 )

Examiner: Not Assigned

For: USE OF D-TAGATOSE AS A )  
PREBIOTIC FOOD COMPONENT )

Assistant Commissioner for Patents  
Washington, D.C. 20231

Attention: **BOX MISSING PARTS**

Sir:

RECEIVED  
MAY 27 1999  
GROUP 1700

RESPONSE TO NOTICE TO FILE  
MISSING PARTS OF APPLICATION

In response to the communication of March 23, 1999, Applicants submit a Declaration/Power of Attorney for filing in the above-identified application, the required fee of \$130.00, and a copy of the Notice of Missing Parts.

Please associate the enclosed declaration with the above identified application.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By: Charles E. Van Horn  
Charles E. Van Horn  
Reg. No. 40,266

Dated: May 14, 1999